REMARKS:

This application has been reviewed in light of the Office Action mailed November 13, 2009. Reconsideration of this application in view of the below remarks is respectfully requested. Claims 1-12 are pending in the application with claims 1 and 7 being in independent form.

Rejection under 35 U.S.C. § 103 (a)

Claims 1-12 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nishimura (U.S. 2003/0058823) (hereinafter "Nishimura") in view of Yoon et al. (U.S. 2004/0203397) (hereinafter "Yoon") and further in view of Harrison et al. (U.S. 6,434,366) (hereinafter "Harrison").

Applicants respectfully disagree and traverse with at least the following analysis. The Examiner states that the combination of Nishimura in view of Yoon does not expressly disclose a channel estimation value correction circuit as recited in claim 1; however, the Examiner contends that Harrison discloses this limitation. The Examiner asserts that Harrison discloses a weight estimator 602, corresponding to the channel estimation value correction circuit. (*See* Figure 9). The weight estimator 602 corrects the output of the channel estimator 204 (estimating a channel impulse response for each channel between each antenna element at the transceiver base station and the antenna 201 of the subscriber unit) based on the received power of an element pilot, corresponding to each individual channel and that of a traffic channel, corresponding to the shared channel.

However, this output correction by the weight estimator 602 is not performed on the basis of a reception power fluctuation due to "uplink transmission power control which is caused by timing offset" between the channel of the element pilot and the traffic channel. Harrison does

not relate the channel of the element pilot and the traffic channel with respect to a "timing offset".

Further, no pilot symbol exists in the shared channel of the present invention, while a dedicated pilot exists in Harrison. Thus, it is unlikely in Harrison to demodulate a signal corresponding to the shared channel using a channel estimation value of an individual channel as done in the present invention, that is, to demodulate a signal corresponding to a traffic channel using channel estimation value of a channel of an element pilot.

Therefore, Harrison cannot be said to teach, among other things, "a channel estimation value correction circuit which corrects the channel estimation value from said channel estimation circuit on the basis of a reception power fluctuation due to uplink transmission power control which is caused by a timing offset between the individual channel of the user and the shared channel" as recited in claim 1. Accordingly, claim 1 and claim 7, which includes similar recitations as claim 1, and their dependent claims, are patentable over any combinations of Nishimura, Yoon and Harrison. Applicants respectfully request withdrawal of the rejection with respect to claims 1-12 under 35 U.S.C. § 103(a).

CONCLUSION

In view of the foregoing remarks, it is respectfully submitted that all claims presently pending in the application, namely, claims 1-12 are believed, to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicants' undersigned attorney at the number indicated below.

Respectfully submitted,

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